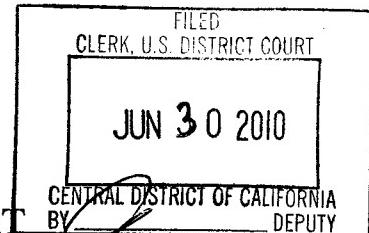


1           Mark A. Pals, P.C. (*pro hac vice*)  
2           mpals@kirkland.com  
3           Marcus E. Sernel (*pro hac vice*)  
4           msernel@kirkland.com  
5           KIRKLAND & ELLIS LLP  
6           300 North LaSalle  
7           Chicago, IL 60654  
8           (312)862-2000 (o); (312)862-2200 (f)

Daralyn J. Durie (SBN 169825)  
ddurie@durietangri.com  
Mark Lemley (SBN 155830)  
mlemley@durietangri.com  
DURIE TANGRI PAGE LEMLEY  
ROBERTS & KENT LLP  
332 Pine Street, Suite 200  
San Francisco, CA 94104  
(415)362-6666 (o); (415)236-6300 (f)

Attorneys for GENENTECH, INC.

LODGED  
10 JUN 29 AM 11:00  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES  
*[Signature]*



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

CENTOCOR ORTHO BIOTECH, INC.,

Plaintiff,

v.

GENENTECH, INC. and CITY OF HOPE,

Defendants.

GENENTECH, INC. and CITY OF HOPE,

Counter-Plaintiffs

v.

CENTOCOR ORTHO BIOTECH, INC.,

Counter-Defendant

AND

GLOBAL PHARMACEUTICAL  
SUPPLY GROUP, LLC, CENTOCOR  
BIOLOGICS, LLC, AND JOM  
PHARMACEUTICAL SERVICES, INC.,

Third-party Defendants.

} Case No. CV 08-03573 MRP (CTx)

} The Honorable Mariana R. Pfaelzer

[PROPOSED] ORDER  
GRANTING GENENTECH,  
INC.'S EX PARTE  
APPLICATION TO FILE UNDER  
SEAL THE DECLARATION OF  
MARCUS E. SERNEL IN  
SUPPORT OF GENENTECH,  
INC.'S AND CITY OF HOPE'S  
JOINT STIPULATION  
REGARDING DEFENDANT  
GENENTECH INC.'S MOTION  
TO AMEND THE STIPULATED  
PROTECTIVE ORDER

Date: July 19, 2010  
Time: 11:00 am  
Place: Courtroom 12

ORIGINAL

The Court, having considered Genentech Inc.'s Application for an order allowing the filing under seal of the Declaration of Marcus E. Sernel in Support of Genentech, Inc.'s and City of Hope's Joint Stipulation Regarding Defendant Genentech, Inc.'s Motion to Amend the Stipulated Protective Order and its attached exhibits B and C, the Court finds that good cause exists under Local Rule 79-5.1 for the requested relief and hereby orders that the Motion is GRANTED.

The Clerk shall maintain under seal the following materials:

1. Declaration of Marcus E. Sernel in Support of Genentech, Inc.'s and City of Hope's Joint Stipulation Regarding Defendant Genentech, Inc.'s Motion to Amend the Stipulated Protective Order, and exhibits B-C.

## IT IS SO ORDERED

Dated: June 30, 2010

*Mariana R. Pfaelzer*  
Hon. Mariana R. Pfaelzer  
United States District Judge

**PROOF OF SERVICE**

I, Jelani Solper, am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 333 South Hope Street, Los Angeles, California 90071.

On June 29, 2010, I served a true copy of the following document(s) described as:

**[PROPOSED] ORDER GRANTING GENENTECH, INC.'S EX PARTE APPLICATION TO FILE UNDER SEAL THE DECLARATION OF MARCUS E. SERNEL IN SUPPORT OF GENENTECH, INC.'S AND CITY OF HOPE'S JOINT STIPULATION REGARDING DEFENDANT GENENTECH INC.'S MOTION TO AMEND THE STIPULATED PROTECTIVE ORDER**

on the interested parties in this action as follows:

- By U.S. Mail:** By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California to the addressee(s) set forth below. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing.
- By Fedex:** By placing the document(s) listed above in a sealed overnight courier envelope addressed as set forth above and routing the envelope for pick up with Federal Express for overnight delivery.

Gary A. Clark  
Darren M. Frank  
SHEPPARD, MULLIN, RICHTER &  
HAMPTON LLP  
333 S. Hope St., 48th Floor  
Los Angeles, CA 90071-1448

Dianne B. Elderkin  
Barbara L. Mullin  
WOODCOCK WASHBURN LLP  
2929 Arch St., 12th Floor  
Philadelphia, PA 19104

- By E-Mail:** I caused to have delivered such documents to the addressee as set forth below:

gclark@sheppardmullin.com  
dfranklin@sheppardmullin.com

elderkin@woodcock.com  
mullin@woodcock.com

I declare that I am employed in the office of a member of the bar of this court at whose direction this service was made.

Executed June 29, 2010, at Los Angeles, California.

Jelani Solper  
Print Name

Signature